

## Merchant & Gould

An Intellectual Property Law Firm

OFFICIAL

3200 IDS Center  
80 South Eighth Street  
Minneapolis, Minnesota  
55402-2215 USA  
TEL 612.332.5300  
FAX 612.332.9081  
www.merchant-  
gould.com

A Professional Corporation

Fax Transmission | June 1, 2004

TO: Commissioner for Patents  
Attn: Examiner UNKNOWN  
P.O. Box 1450  
Alexandria, VA 22313-1450

FROM: James A. Larson

OUR REF: 3616.238USC3  
TELEPHONE: 612.336.4708  
CENTRAL FAX CENTER

Total pages, including cover letter: 6

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PTO FAX NUMBER 1-703-872-9306

If you do NOT receive all of the pages, please telephone us at 612.336.4708, or fax us at 612.332.9081.

Title of Document Transmitted:

INFORMATION DISCLOSURE  
STATEMENT

Applicant: RAINEY  
Serial No.: 10/720,410  
Filed: November 24, 2003  
Group Art Unit: Unknown  
Our Ref. No.: 3616.238USC3  
Confirmation No. 5094

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By: James A. Larson  
Name: James A. Larson  
Reg. No.: 40,443

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Celyn L. Oakman

Celyn Oakman  
Signature

June 1, 2004  
Date

GEN033.DOT

S/N 10/720,410

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	RAINEY	Examiner:	UNKNOWN
Serial No.:	10/720,410	Group Art Unit:	UNKNOWN
Filed:	November 24, 2003	Docket No.:	3616.238USC3
Title:	RETAINING WALL ANCHORING SYSTEM		

CERTIFICATE UNDER 37 C.F.R. 1.8:

I hereby certify that this correspondence is being transmitted by facsimile (fax no. 703-872-9306) to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 1, 2004.

By: 

Name: James A. Larson

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. § 1.98(d), a copy of each document or other information listed on the enclosed Form 1449 is not provided because it was previously cited by or submitted to the U.S. Patent and Trademark Office in one or more of prior applications, U.S. Serial No. 09/698,934 filed on 10/27/2000, U.S. Serial No. 09/261,420 filed on March 3, 1999, and U.S. Serial No. 08/846,440 filed on April 30, 1997.

The Examiner's attention is also drawn to the existence of U.S. Application Serial No. 10/301,108, now abandoned, which was a continuation application of U.S. Serial No. 09/698,934.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicant(s) do not represent that a

reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

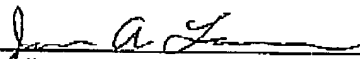
Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Date: June 1, 2004

By:   
Name: James A. Larson  
Reg. No.: 40,443

**23552**

PATENT TRADEMARK OFFICE

Date Mailed: June 1, 2004

Sheet 1 of 3

<b>FORM 1449*</b> <b>INFORMATION DISCLOSURE STATEMENT</b>  <b>IN AN APPLICATION</b> (Use several sheets if necessary)	<b>Docket Number:</b> 3616.238USC3	<b>Application Number:</b> 10/720,410
	<b>Applicant:</b> RAINEY	
	<b>Filing Date:</b> November 24, 2003	<b>Group Art Unit:</b> UNKNOWN

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	1,947,151	02/1934	Caples			
	2,110,253	03/1938	Nedden			
	3,490,242	01/1970	Schnabel, Jr.			
	3,541,798	11/1970	Schnabel, Jr.			
	4,193,718	03/1980	Wahrendorf et al.			
	4,448,571	05/1984	Eckels			
	4,470,728	09/1984	Broadbent			
	4,490,075	12/1984	Risi et al.			
	4,530,622	07/1985	Mercer			
	4,601,148	07/1986	Risi et al.			
	4,690,588	09/1987	Berger			
	4,815,897	03/1989	Risi et al.			
	4,824,293	04/1989	Brown et al.			
	4,911,582	03/1990	Peirce, Jr. et al.			
	4,914,876	04/1990	Forsberg			
	4,917,543	04/1990	Cole et al.			
	5,044,834	09/1991	Janopaul, Jr.			
	5,064,313	11/1991	Risi et al.			
	5,066,169	11/1991	Gavin et al.			
	5,248,226	09/1993	Risi et al.			
	5,257,880	11/1993	Janopaul, Jr.			
	5,294,216	03/1994	Sievert			
	D350,611	09/1994	Scales			
	5,368,414	11/1994	Miller			
	5,417,523	05/1995	Scales			
	5,511,910	04/1996	Scales			

<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

\*Substitute Disclosure Statement Form (PTO-1449)

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Date Mailed: June 1, 2004

Sheet 2 of 3

<b>FORM 1449*</b> <b>INFORMATION DISCLOSURE STATEMENT</b>  <b>IN AN APPLICATION</b> (Use several sheets if necessary)	Docket Number: 3616.238USC3	Application Number: 10/720,410
	Applicant: RAINEY	
	Filing Date: November 24, 2003	Group Art Unit: UNKNOWN

	5,522,682	06/1996	Egan				
	5,540,525	07/1996	Miller et al.				
	5,568,998	10/1996	Egan et al.				
	5,568,999	10/1996	Egan et al.				
	5,580,191	12/1996	Egan				
	5,588,784	12/1996	Brandl et al.				
	5,595,460	01/1997	Miller et al.				
	5,607,262	03/1997	Martin				
	5,619,835	04/1997	Bailey, II et al.				
	5,622,456	04/1997	Risi et al.				
	5,673,530	10/1997	Bailey, II				
	5,697,735	12/1997	Egan				
	5,827,015	10/1998	Woolford et al.				
	5,921,715	07/1999	Rainey				
	6,050,749	04/2000	Khamis				
	6,086,288	07/2000	Ruel et al.				
	6,089,792	07/2000	Khamis				
	6,168,351	01/2001	Rainey				
FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	PCT/GB93/02549	12/1993	PCT				

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

\*Substitute Disclosure Statement Form (PTO-1449)

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Date Mailed: June 1, 2004

Sheet 3 of 3

<b>FORM 1449*</b> <b>INFORMATION DISCLOSURE STATEMENT</b>  <b>IN AN APPLICATION</b>  (Use several sheets if necessary)	Docket Number: 3616.238USC3	Application Number: 10/720,410
	Applicant: RAINEY	
	Filing Date: November 24, 2003	Group Art Unit: UNKNOWN

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
		Nicholson Construction of America brochure for Insert Wall <sup>SM</sup> (In-Situ Earth Reinforcing Techniques), 5 pgs. (date unknown).
		Manta Ray® Engineered Earth Anchor Systems brochure for anchoring technology, 4 pgs. (date unknown).
		Newcastle <sup>TM</sup> Retaining Wall Systems brochure for retaining wall systems, 6 pgs., 1994.

**23552**

PATENT TRADEMARK OFFICE

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

\*Substitute Disclosure Statement Form (PTO-1449)

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE